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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-0053 DAE
)	
Plaintiff,)	UNITED STATES' WRITTEN NOTICE
)	PURSUANT TO FEDERAL RULE OF
vs.)	EVIDENCE 404(b); CERTIFICATE
)	OF SERVICE
SILVER JOSE GALINDO,)	
(a.k.a. DANIEL S. GALINDO))	
(a.k.a. TIMOTHY MAU))	
)	
Defendant.)	
_____)	

UNITED STATES' WRITTEN NOTICE
PURSUANT TO FEDERAL RULE OF EVIDENCE 404(b)

COMES NOW the United States of America, by and through its attorneys, Edward H. Kubo, Jr., United States Attorney for the District of Hawaii, Darren W.K. Ching, Assistant United States Attorney, and hereby provides notice of its intent to offer evidence in its case-in-chief of prior acts committed by the defendant Silver Galindo ("Defendant"). Although the United

States has made various disclosures to the defendant in prior discovery (Bates-stamped 1 - 185, 200-437, and 1-25), the United States is filing this notice to ensure compliance with the Court's standing order.

Through this filing the government does not concede such evidence is subject to Federal Rules of Evidence Rule 404(b). Said-evidence is inextricably intertwined with the evidence supporting the charged criminal conduct and provides the context in which the charged criminal conduct occurred. Nonetheless, in an abundance of caution, the government provides its intention to use the following evidence:

1. Items recovered from 91-2240 Fort Weaver Road, Unit #B-2 on March 11, 2004 included to but not limited to items recovered under Mag. No. 04-0235 and 04-0236.
2. Items recovered from 62-148A Lokoea Place Haleiwa, HI 96712 on or about February 28, 2004.
3. Defendant's involvement with Robert TOMASZYCKI's drug distribution including but not limited to how and why TOMASZYCKI involved Defendant in his drug distribution.
4. Defendant's possession and use of firearms on occasions other than those named in the indictment.

5. Defendant's possession and use of drugs on occasions other than those named in the indictment.
6. Defendant's use of aliases including but not limited to "Timothy Mau."
7. Defendant's involvement with Dan LANGAMAN's drug distribution including but not limited to how and why LANGAMAN involved Defendant in his drug distribution.
8. Defendant's armed robbery of Gilbert "Baka" SORIANO for drugs and money.
9. Defendant's armed robbery of Travis HEFFELFINGER for drugs and money.
10. Defendant's armed robbery of other drug users/dealers for drugs and money and then providing said-stolen drugs to HEFFELFINGER.
11. Defendant's State of Hawaii felony convictions.
12. Defendant being in a stolen car when found with a firearm on September 6, 2003. The firearm recovered from within the stolen car was reported missing by H.H. The stolen car was taken from the burglarized home of J.D. and S.D.
13. Defendant stole Hector FERRER's wife's 1999 Nissan on or about August 1, 2003 from the Pacific Marina Hotel.

14. Defendant was in federal custody including but not limited to April 30, 2004, when spoke to Hector FERRER.

Dated: December 27, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Darren W. K. Ching
DARREN W.K. CHING
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF:

JERRY WILSON, ESQ. wilsonlawfirm@hawaii.rr.com

Attorney for Defendant
SILVER JOSE GALINDO

DATED: December 27, 2006, at Honolulu, Hawaii.

/s/ Cheri Abing